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22 **UNITED STATES DISTRICT COURT**

23 **NORTHERN DISTRICT OF CALIFORNIA**

24 **SAN FRANCISCO DIVISION**

25 SONOS, INC.,

26 Plaintiff and Counter-
27 Defendant,

28 vs.

GOOGLE LLC,

Defendant and Counter-
Claimant.

CASE NO. 3:20-cv-06754-WHA

**DECLARATION OF MARC KAPLAN IN
SUPPORT OF GOOGLE'S RESPONSE TO
SONOS'S MOTION *IN LIMINE* NO. 3 TO
EXCLUDE INVALIDITY BASED ON
LACK OF WRITTEN DESCRIPTION OR
ENABLEMENT FOR THE '885 AND '966
PATENTS**

1 I, Marc Kaplan, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of Illinois and am admitted to
3 practice before this Court. I am a Partner at the firm of Quinn Emanuel Urquhart & Sullivan, LLP
4 and am counsel of record for Plaintiff Google LLC (“Google”).

5 2. I provide this declaration in support of Google’s Response to Sonos’s Motion In
6 Limine No. 3 To Exclude Invalidity Based on Lack of Written Description or Enablement For The
7 ’885 and ’966 Patents. If called as a witness, I could and would testify competently to the
8 information contained herein.

9 3. Exhibit 1 is a true and accurate excerpt of the Opening Report of Dr. Dan
10 Schonfeld dated November 30, 2022.

11 4. Exhibit 2 is a true and accurate excerpt of the Reply Report of Dr. Dan Schonfeld
12 dated January 23, 2023.

13 5. I declare under penalty of perjury under the laws of the United States of America
14 that to the best of my knowledge the foregoing is true and correct. Executed on April 24, 2023, in
15 Chicago, Illinois.

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18 DATED: April 24, 2023

Respectfully submitted,

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20 By /s/ Marc Kaplan
21 Marc Kaplan
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ECF ATTESTATION

I, Clement S. Roberts, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil Local Rule 5-1, I hereby attest that Marc Kaplan, counsel for Google, has concurred in this filing.

Dated: April 25, 2023

By: /s/ Clement S. Roberts

Clement S. Roberts